REMARKS

Claim Rejections – 35 U.S.C. § 112, ¶2

Claims 1-5 have been canceled. Thus the rejection is moot.

Claim Rejections – 35 U.S.C. § 102(b)

Independent claim 26 was rejected under 35 U.S.C. §102(b) as being anticipated by Merkin.

Claim 26 calls for and operating system including a plurality of interfaces to equipment of a corresponding plurality of types, one of which is a first predetermined type, and including a driver ID demander, and a wizard including a common driver which, when identified to the driver ID demander satisfies the driver ID demander's requirement to identify one of the plurality of interfaces.

The examiner has failed to show where the operating system in Merkin demands the identification of one of a plurality of interfaces, and a common driver that satisfies this demand when it is identified to a driver ID demander.

For example, in Merkin the user must specify a source disk drive in which the device driver program is to be found. Column 5, lines 14-65. The source drive may be one that supports a removable medium. *Id.* *See also* column 5, line 5-column 6, line 1. Thus, the device driver program may be on a floppy disk. Because the user is required to identify the disk drive unit where the device driver program is found before .IDP files (installation data profile) can be located, it is submitted that the identification of the source drive and not the location of .IDP files satisfies the general installation utility's request for specification of the source. That is, the source drive for the driver program to be installed is located in response to the request of Merkin's general installation utility. Accordingly, Merkin fails to anticipate claim 26 and claims dependent thereon. Reconsideration of the rejection is requested.

Claim Rejections – 35 U.S.C. § 103

Claim 19 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Merkin in view of Asselin. *Prima facie* obviousness has not been established with respect to claim 19.

Claim 19 calls for a placeholder software component. The placeholder software component is identified in response to a request to identify a software component to be installed. But, the software component to be installed is included in a group of possible software components whereas the placeholder software component is not.

The incompatible or error ridden replacement driver of Asselin is not a placeholder. That is, the replacement driver would be installed but for an error or incompatibility. Thus, the function of replacement drivers in Asselin is to replace the currently operating driver whether replacement actually occurs or not. So, Asselin teaches an either/or situation regarding installing a replacement driver; either the driver is error free and it is installed or the replacement driver is not error-free or compatible and it is not installed. As a result, where an incorrect replacement driver is unloaded there is no subsequent installation. In this way, an unacceptable driver does not replace the original driver that is in operation.

Merkin's teachings do not alter the result of Asselin. That is, in Merkin the developers of the device driver program provide the device driver program and installation data profile on the same disk. *See* column 4, line 66-column 5, line 1; column 5, lines 51-57. This disk is inserted in a drive, where through an installation data profile, the user may be able to select a target drive or path and drive for the device driver. Column 7, lines 3-27. After selection of a target drive or target path, installation of the device driver continues, which includes copying the device driver into the path selected by the user, or to a default location as indicated by the installation data profile. *Id.* In view of Asselin, if the driver is incompatible or has an error, the driver would not be installed. But, if the driver is "correct" then it would be installed without unloading. As such, it is respectfully submitted that the combined teachings of Merkin and Asselin fail

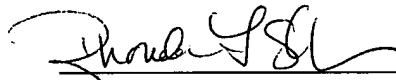to teach or suggest all of the limitations of claim 19. Reconsideration of the rejection is requested.

Independent claim 6 was rejected under 35 U.S.C. § 103 (a) as being unpatentable over Merkin alone.

Claim 6 has been amended to include subject matter similar to some of the subject matter of claim 28. Claim 28 has been indicated as allowable. Thus, claim 6 is also believed to be in condition for allowance.

In view of the remarks herein, the application is believed to be in condition for allowance. The examiner's prompt action in accordance therewith is respectfully requested. The commissioner is authorized to charge any additional fees, including extension of time fees, or credit any overpayment to Deposit Account No. 20-1504 (ITL.0783US).

Respectfully submitted,

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